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Electronically Filed On
February 10, 2014

Attorneys for Friendly Capital Partners, L.P.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re

HDGIANTS, INC.

Debtor.

Bankr. Case No.: BK-N-09-51532-GWZ

Chapter: 11

**SUPPLEMENT TO LIMITED
OBJECTION TO MOTION TO
DISTRIBUTE REMAINING FUNDS
AND DISMISS CHAPTER 11 CASE,
WITH CERTIFICATE OF SERVICE**

Date: 2/11/14

Time: 10:00 a.m.

Friendly Capital Partners, L.P., previously objected to the distribution to Mr. Bahneman, as Friendly filed an action for breach of contract against him and sought a writs of garnishment and attachment. On Friday, February 7, 2014, the Second Judicial District Court granted the writs. Exhibit 1. Friendly is in the process of serving them. Friendly has been in contact throughout and provided copies of the complaint, motion for writs, and writ on Mr. Bahneman's counsel, Kent Sharp of the La Jolla Law Group in La Jolla, California, as well as Mr. Harris and Ms. Petroni.

As an additional point of disclosure, undersigned has been advised by Mr. Sharp and IRS Counsel Rollin Thorley that the IRS has a tax lien against Mr. Bahneman that takes senior priority over Friendly's writs. Mr. Thorley has not yet provided a copy of the lien but advises that the debt is about \$29,000, thus apparently leaving approximately \$10,000 secured by Friendly's writs.

Dated this 10th of February, 2014

ARMSTRONG TEASDALE LLP
By: /s/Louis M. Bubala III
LOUIS M. BUBALA III, ESQ.
Counsel for Friendly Capital Partners, L.P.

CERTIFICATE OF SERVICE

1. On February 10, 2014, I served the following document(s):

SUPPLEMENT TO LIMITED OBJECTION TO MOTION TO DISTRIBUTE REMAINING FUNDS AND DISMISS CHAPTER 11 CASE

2. I served the above-named document(s) by the following means to the persons as listed below:

a. **ECF System** (attach the "Notice of Electronic Filing" or list all persons and addresses):

LOUIS M. BUBALA, III on behalf of Creditor FRIENDLY CAPITAL PARTNERS, LP
lbubala@armstrongteasdale.com, bsalinas@armstrongteasdale.com

JANET L. CHUBB on behalf of Creditor ASPEN MEDIA PRODUCTS, LLC
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STEPHEN R HARRIS on behalf of Debtor HDGIANTS, INC.
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U.S. TRUSTEE - RN - 11, 11
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b. **United States mail, postage fully prepaid** (list persons and addresses):

SCOTT BAHNEMAN
744 MAYS BLVD #10-381
INCLINE VILLAGE, NV 89451-9605

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C/O KENT SHARP, ESQ.
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RICHARD C. SPENCER on behalf of Creditor FRIENDLY CAPITAL PARTNERS, LP
LAW OFFICES OF RICHARD SPENCER, PC
624 SOUTH GRAND AVENUE
ONE WILSHIRE BUILDING, SUITE 2200
LOS ANGELES, CA 90017

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 10th day of February 2014.

Barbara Salinas
Name

/s/ Barbara Salinas
Signature

EXHIBIT 1

EXHIBIT 1

1 **3060**

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13 *Attorneys for Friendly Capital Partners L.P.*14 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**15 **IN AND FOR THE COUNTY OF WASHOE**16 FRIENDLY CAPITAL PARTNERS, L.P., a
17 California limited partnership,

18 Plaintiff,

19 vs.

20 SCOTT BAHNEMAN, an individual,

21 Defendant.

22 Case No.: CV14-00233

23 Dept. No.: 6

24 **ORDER GRANTING EX PARTE
25 MOTION FOR PREJUDGMENT WRIT
26 OF ATTACHMENT AND
27 GARNISHMENT**

28 After consideration of Plaintiff's Ex Parte Motion for Prejudgment Writ of Attachment and Writ of Garnishment, the declarations of Louis Bubala III and Warren Trepp, and the Complaint on file herein, and good cause appearing, and the Court making the following findings:

1. That the action in question appears to be one in which attachment without notice may be allowed because said action is brought pursuant to NRS 31.017(1).

2. The facts and reasons why these grounds exist are Plaintiff's allegations and the supporting declarations, which show that Plaintiff Friendly Capital Partners, L.P. is a resident of this State for purposes of NRS 31.017, doing business in Nevada and qualified by the Secretary of State to do business in Nevada, and Defendant Bahneman is a resident of San Diego County, California.

1 3. Having reviewed Plaintiff's Complaint and the documents on file, it appears that the
2 Plaintiff has alleged a meritorious claim for relief.

3 4. The amount for which the attachment and garnishment will issue in this action is the
4 sum of THIRTY-EIGHT THOUSAND FIVE HUNDRED ONE DOLLARS AND 49/100 CENTS
5 (\$38,501.49).

6 5. Prior to attachment, a written undertaking or bond on the part of Plaintiff payable in
7 lawful money of the United States in a sum of \$38,501.49 shall be given before the Writs herein will
8 issue.

9 6. The names of all third persons upon whom writs of garnishment in aid of attachment
10 may be served are: Harris & Petroni, Ltd.; Gloria Petroni.

11 7. The property to be attached and garnished herein is properly described as the
12 distribution, if any, to Defendant Scott Bahneman from the estate of HDGiants, Inc., in the matter of
13 *In re HDGiants, Inc.*, BK-N-09-51532-GWZ (Bankr. D. Nev.).

14 IT IS THEREFORE ORDERED that a Writ of Attachment and Writ of Garnishment in this
15 action be issued in the amount of \$38,501.49 against the property of Defendant SCOTT
16 BAHNEMAN upon the posting of a Surety by Plaintiff in the amount of \$38,501.49.

17
18 Dated this 7th day of February, 2014

19
20 
21 _____
DISTRICT COURT JUDGE